

# Order

Michigan Supreme Court  
Lansing, Michigan

December 27, 2007

134924

RAYMOND SCHORNAK,  
Plaintiff-Appellee,

v

DAIMLERCHRYSLER CORPORATION,  
Defendant-Appellant.

Clifford W. Taylor,  
Chief Justice

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

SC: 134924  
COA: 277024  
WCAC: 05-000316

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On order of the Court, the application for leave to appeal the August 16, 2007 order of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for consideration as on leave granted. The Court of Appeals shall include among the issues addressed whether the plaintiff's medical proofs satisfied his burden of proving that the damage done to his heart by the work he performed during the course of his heart attack was medically distinguishable and that the condition of his heart was made significantly worse than it would have been without performance of the work. If the Court of Appeals answers this question in the affirmative, it shall specifically identify the evidence it relied upon to reach that conclusion. MCL 418.301(2); *Rakestraw v General Dynamics Land Systems, Inc*, 469 Mich 220 (2003); *Fahr v General Motors Corp*, 478 Mich 922 (2007).

We do not retain jurisdiction.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 27, 2007

*Corbin R. Davis*

Clerk